5

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/678,485	10/03/2003	Jay Kapur	MS1-1681US	1430

22801 7590 02/06/2007
LEE & HAYES PLLC
421 W RIVERSIDE AVENUE SUITE 500
SPOKANE, WA 99201

EXAMINER	
SHIH, HAOSHIAN	
ART UNIT	**PAPER NUMBER**
2173	

SHORTENED STATUTORY PERIOD OF RESPONSE	NOTIFICATION DATE	DELIVERY MODE
3 MONTHS	02/06/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Notice of this Office communication was sent electronically on the above-indicated "Notification Date" and has a shortened statutory period for reply of 3 MONTHS from 02/06/2007.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

lhptoms@leehayes.com

Office Action Summary	**Application No.** 10/678,485	**Applicant(s)** KAPUR ET AL.	
	Examiner Haoshian Shih	**Art Unit** 2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *10/03/2003*.
2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-124* is/are pending in the application.
4a) Of the above claim(s) *78-106* is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) *1-77 and 107-124* is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

K.V.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a)☐ All b)☐ Some * c)☐ None of:
1.☐ Certified copies of the priority documents have been received.
2.☐ Certified copies of the priority documents have been received in Application No. _____.
3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date *10/03/2003*.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-124 are pending in this application.

2. Claims 78-106 are withdrawn from consideration.

Election/Restrictions

3. Restriction to one of the following inventions is required under 35 U.S.C. 121:

I. Claims 1-77 and 107-124 drawn to "Help presentation based on context", classified in class 715, subclass 708.

II. Claims 78-106 drawn to "Interactive control panel", classified in class 715, subclass 771.

4. The inventions are distinct, each from the other because of the following reasons:

Inventions I and II are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct if they do not overlap in scope and are not obvious variants, and if it is shown that at least one subcombination is separately usable. In the instant case, invention II has separate utility such as to efficiently adjusting controls to modify the characteristics of a displayed objects. See MPEP § 806.05(d).

5. Because these inventions are independent or distinct for the reasons given above and there would be a serious burden on the examiner if restriction is not required

because the inventions have acquired a separate status in the art in view of their different classification, restriction for examination purposes as indicated is proper.

6. Because these inventions are independent or distinct for the reasons given above and there would be a serious burden on the examiner if restriction is not required because the inventions require a different field of search (see MPEP § 808.02), restriction for examination purposes as indicated is proper.

7. During a telephone conversation with Rob Hartman on Jan 2007 a provisional election was made with traverse to prosecute the invention of group I, claims 1-77 and 107-124. Affirmation of this election must be made by applicant in replying to this Office action. Claims 78-106 are withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

8. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Claim Rejections - 35 USC § 101

9. 35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

10. Claims 68-77 are rejected under 35 U.S.C. 101 because the claims are directed to non-statutory subject matter.

Regarding claim 68, it appears that the "photo-realistic motion video" is directed to either a moving picture or a video signal. As such, the claimed "photo-realistic motion video" is directed to a non-statutory subject matter since a picture is non-functional descriptive material and a signal does not belong to one of the four statutories set forth above.

Claims 69-77 are rejected based on similar reasons.

Claim Rejections - 35 USC § 102

11. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

12. Claims 1-2, 4, 7-9, 14-15, 67, 107, 109-110, 112, 116-117, 119-120 and 123 are rejected under 35 U.S.C. 102(e) as being anticipated by Murashita et al. (Murashita, US 6,850,245 B1).

13. As to claim 1, Murashita discloses one or more computer-readable media comprising computer-executable instructions that when executed by a computer(col.13, lines 30-34), determine a type or a connection type of a display in use by a computer (fig.6, "S101";col.6, lines 29-30; fig.7; col.15, lines 16-18) and present, based on the type or the connection type of the display, instructions to aid a user in calibrating the display (adjusting the color of the display,fig.8; col.15, lines 24-61, col.7, lines 56-59, col.29, lines 40-41).

14. As to claim 67, Murashita discloses one or more computer-readable media comprising computer-executable instructions that when executed by a computer(col.13, lines 30-34), present instructions to a user to aid the user in color calibrating a computer display of a particular type (fig.6, "S101";col.6, lines 29-30; fig.7; col.15, lines 16-18), wherein the instructions presented are tailored to aid color calibration of that particular type (adjusting the color of the display,fig.8; col.15, lines 24-61, col.7, lines 56-59, col.29, lines 40-41).

15. As to claim 107, Murashita discloses a system comprising: a display having a screen capable of displaying display-type options (fig.7, "32"); a user-input device capable of enabling a user to select one of the display-type options (fig.4, "33", "34");a display calibration application capable of receiving the selected display-type option (fig.7, "60") and determining instructions to aid the user in calibrating color of the display based on the selected display-type option (col.3, lines 40-41; fig.6, "S101", "S102"; a

display profile is loaded after a user selects a display type), wherein the display is further capable of displaying the instructions (fig.18, "141", "142"); and a computer capable of executing the display color calibration application.

16. As to claim 109, Murashita discloses a method comprising: presenting graphics that illustrate multiple display types (fig.7); receiving a selection of one of the multiple display types (fig.7, "61","62"); and presenting, based on the selected display type, instructions to aid a user in calibrating a display of the selected display type (col.3, lines 40-41; fig.6, "S101", "S102"; fig.18, "141", "142"; a display profile is loaded after a user selects a display type).

17. As to claim 123, Murashita discloses an apparatus comprising: means for determining a type or a connection type of a display in use by a computer (col. 3, lines 40-41); and means for presenting, based on the type or the connection type of the display (fig.7), instructions to aid a user in calibrating the display (fig.8).

18. As to claim 2, Murashita discloses wherein the determination includes presenting graphics that illustrate multiple display types and receiving a selection of one of the multiple display types, wherein the selected display type is the type of the display in use by the computer (fig.7).

19. As for claim 4, Murashita discloses the determination includes only the type of the display and the presentation is based on only the type of the display (col.15, lines 15-20, lines 24-25; after the display type is determined, the associated color chart is loaded, followed by the calibration presentation).

20. As to claim 7, Murashita discloses the determination includes presenting multiple types of displays to the user and receiving, from the user, a selection of one of the display types (fig.7).

21. As to claims 8 and 119, Murashita discloses wherein the determination includes presenting multiple types of displays to the user and receiving (fig.7; for example, CRT or LCD display), from the user, a selection of one of the display types (fig.7, user pushes button to make the selection) wherein the multiple types of displays include a tube type of display, a panel type of display a rear-projection type of display, or a forward-projection type of display (fig.7; for example, CRT or LCD display).

22. As to claims 9 and 120, Murashita discloses wherein the determination includes presenting multiple types of displays to the user and receiving, from the user(fig.7; for example, CRT or LCD display) , a selection of one of the display types (fig.7, user pushes button to make the selection), wherein the multiple display types include a tube type of display, a plasma-panel type of display, a non-plasma-panel type of display, a CRT rear-projection type of display, a non-CRT rear-projection type of display, a three-

light forward-projection type of display, or a one-light forward-projection type of display (fig.7; for example, CRT or LCD display).

23. As to claim 14, Murashita discloses the presentation of the instructions is directed to calibrating a tube-type display if the display is of the tube-type (fig.7, "CRT", user selects the display type; col.15, lines 24-26, user enters calibration mode after choosing the display type).

24. As to claim 15, Murashita discloses the presentation of the instructions is directed to calibrating a panel-type display if the display is of the panel-type (fig.7, "LCD", user selects the display type; col.15, lines 24-26, user enters calibration mode after choosing the display type).

25. As to claim 110, Murashita discloses presenting second graphics that illustrate multiple display connection types; and receiving a second selection of one of the multiple display connection types, wherein the presenting is further based on the selected display connection type (col.15, lines 1-2; a second graphics that further defines the display connection type base on the maker).

26. As to claim 112, Murashita discloses presenting text describing the multiple display connection types (fig.7, "61","62").

27. As to claim 116, Murashita discloses enabling a user to select one of the multiple display types (fig.7).

28. As to claim 117, Murashita discloses presenting text describing the multiple display types (fig.7).

29. Claims 34, 37-38, 44-55, 68-77 are rejected under 35 U.S.C. 102(e) as being anticipated by Dean et al. (Dean, US 6,771,323 B1).

30. As to claim 34, Dean discloses one or more computer-readable media comprising computer-executable instructions that perform the following when executed by a computer (col.2, lines 34-39): present one or more photo-realistic motion videos to a user to aid the user in calibrating a computer display. (fig.8; col.1, lines 57-59; col.2, lines 6-9; col.11, lines 34-42; a test signal with embedded calibration elements that can be inserted with a motion video for calibration purpose).

31. As to claims 37 and 69, Dean discloses one or more of the photo-realistic motion videos are hyper-sensitive to calibration changes of the computer display (col.1, lines 57-59; col.2, lines 6-9; col.11, lines 39-42; a test signal with embedded calibration elements that are inserted with a motion video for calibration purpose must reflect the changes of the calibration).

32. As to claim 38, Dean discloses the presentation is directed to calibrating the computer display to use of the computer display to render motion videos (col.1, lines 57-59; col.2, lines 6-9; col.11, lines 39-42; a test signal with embedded calibration elements that can be inserted with a motion video for calibration purpose).

33. As to claim 44, Dean discloses calibration of the centering (col.10, lines 46-47) and the size (col.9, lines 37-39) of the displayed production.

34. As to claim 45, Dean discloses the presentation of the instructions is directed at aiding the user to calibrate a brightness of the display (col.11, lines 37-41).

35. As to claim 46, Dean discloses the presentation of the instructions is directed at aiding the user to calibrate a contrast of the display (col.11, lines 37-41).

36. As to claim 47, Dean discloses the presentation of the instructions is directed at aiding the user to calibrate a color balance of the display (col.11, lines 37-41).

37. As to claim 48, Dean discloses the presentation of the instructions is directed at aiding the user to calibrate a color and tint of the display (col.11, lines 37-41).

38. As to claim 49, Dean discloses the presentation of the instructions is directed at aiding the user to calibrate a sharpness of the display. (col.11, lines 37-41; sharpness is defined as the contrast of an edge).

39. As to claims 50, 70 and 71, Dean discloses the presentation of the instructions includes presenting a photo-realistic moving video tailored to (col.1, lines 57-59; col.2, lines 6-9; col.11, lines 39-42; a test signal with embedded resolution elements that can be inserted with a motion video for calibration purpose). centering (col.10, lines 46-47) and sizing (col.11, lines 37-40) of media on the display.

40. As to claims 51 and 73, Dean discloses the presentation of the instructions includes presenting a photo-realistic moving video tailored to calibrating a brightness of the display col.1, lines 57-59; col.2, lines 6-9; col.11, lines 39-42; a test signal with embedded brightness element that can be inserted with a motion video for calibration purpose). .

41. As to claims 52 and 74, Dean discloses the presentation of the instructions includes presenting a photo-realistic moving video tailored to calibrating a contrast of the display col.1, lines 57-59; col.2, lines 6-9; col.11, lines 39-42; a test signal with embedded contrast element that can be inserted with a motion video for calibration purpose)..

42. As to claims 53 and 75, Dean discloses the presentation of the instructions includes presenting a photo-realistic moving video tailored to calibrating a color balance of the display col.1, lines 57-59; col.2, lines 6-9; col.11, lines 39-42; a test signal with embedded color balance elements that can be inserted with a motion video for calibration purpose).

43. As to claims 54 and 76, Dean discloses the instructions includes presenting a photo-realistic moving video tailored to calibrating a color and tint of the display col.1, lines 57-59; col.2, lines 6-9; col.11, lines 39-42; a test signal with embedded resolution elements that can be inserted with a motion video for calibration purpose).

44. As to claims 55, and 77, Dean discloses the presentation of the instructions includes presenting a photo-realistic moving video tailored to calibrating a sharpness of the display col.1, lines 57-59; col.2, lines 6-9; col.11, lines 39-42; a test signal with embedded resolution elements that can be inserted with a motion video for calibration purpose; the contrast of a edge (sharpness) is a part of the of a display characteristic).

45. As to claim 68, Dean discloses a photo-realistic motion video capable of aiding a user to optimally calibrate a parameter of a video display (col.1, lines 57-59; col.2, lines 6-9; col.11, lines 39-42; a test signal with embedded elements that can be inserted with a motion video for calibration purpose).

46. As to claim 72, Dean discloses the parameter affects an aspect ratio of the video display (col.11, lines 37-39).

Claim Rejections - 35 USC § 103

47. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

48. Claims 10-11, 16-33, 35, 39-43, 56-66, 108, 113-115, 118, 121, 122 and 124 are rejected under 35 U.S.C. 103(a) as being unpatentable over Murashita in view of Dean.

49. As to claim 10, Murashita does not disclose presenting a 4x3 width-to-height ratio and a 16x9 width-to-height ratio to the user, and receiving, from the user, a selection of one of the width-to-height ratios.

In the same field of endeavor, Dean discloses presenting a 4x3 width-to-height ratio and a 16x9 width-to-height ratio to the user, and receiving, from the user, a selection of one of the width-to-height ratios (col.11, lines 37-39).

It would have been obvious to one of ordinary skill in the art, having the teaching of Murashita and Dean before him at the time the invention was made, to modify the display determination taught by Murashita to include the aspect ratio selection taught by Dean with the motivation being to provide a UI wherein the complexities of the calibration of different display types is transparent to the user and ensuring an accurate management of the displayed production.

50. As to claim 11, Murashita does not disclose the presentation of the instructions is directed to calibrating the display for use of the display to render motion video.

Dean discloses the presentation of the instructions is directed to calibrating the display for use of the display to render motion video (fig.8; col.1, lines 57-59; col.2, lines 6-9; col.11, lines 39-42; a test signal with embedded calibration elements that can be inserted with a motion video for calibration purpose).

It would have been obvious to one of ordinary skill in the art, having the teaching of Murashita and Dean before him at the time the invention was made, to modify the display determination taught by Murashita to include the motion video calibration taught by Dean with the motivation being to provide a UI wherein the complexities of the calibration of different display types is transparent to the user and ensuring an accurate management of the displayed production.

51. As to claims 16 and 41, Murashita discloses the presentation of the instructions is directed to calibrating a display based on the display type (fig.7, user selects the display type; col.15, lines 24-26, user enters calibration mode after choosing the display type). Murashita does not disclose the display is of the rear-projector-type.

In the same field of endeavor, Dean discloses color calibration for the rear-projector-type display (col.10, lines 44-45).

It would have been obvious to one of ordinary skill in the art, having the teaching of Murashita and Dean before him at the time the invention was made, to modify the display determination taught by Murashita to include rear-projector-type display profile taught by Dean with the motivation being to provide a UI wherein the complexities of the calibration of different display types is transparent to the user and ensuring an accurate management of the displayed production.

52. As to claims 17 and 42, Murashita discloses the presentation of the instructions is directed to calibrating a display based on the display type (fig.7, user selects the display type; col.15, lines 24-26, user enters calibration mode after choosing the display type). Murashita does not disclose the display is of the forward-projector-type.

In the same field of endeavor, Dean discloses color calibration for the forward-projector-type display (col.10, lines 44-45).

It would have been obvious to one of ordinary skill in the art, having the teaching of Murashita and Dean before him at the time the invention was made, to modify the display determination taught by Murashita to include forward-projector-type display profile taught by Dean with the motivation being to provide a UI wherein the complexities of the calibration of different display types is transparent to the user and ensuring an accurate management of the displayed production.

53. As to claims 18, 108, 121 and 124, Murashita discloses the presentation of the instruction (col.7, lines 56-59; fig.7, "60"; fig.8, "70"; fig.9, "85"). Murashita does not disclose presenting a photo-realistic moving video.

In the same field of endeavor, Dean discloses presenting a photo-realistic moving video (col.2, lines 6-8, "cinema").

It would have been obvious to one of ordinary skill in the art, having the teaching of Murashita and Dean before him at the time the invention was made, to modify the display determination taught by Murashita to include the motion video taught by Dean with the motivation being to provide a UI wherein the complexities of the calibration of different display types is transparent to the user and ensuring an accurate management of the displayed production.

54. As to claims 19 and 43, Murashita discloses information that guides the user in calibrating the display (col.7, lines 56-59; fig.7, "60"; fig.8, "70"; fig.9, "85"). Murashita does not disclose the use of a photo-realistic moving video.

Dean discloses presenting a photo-realistic moving video (col.2, lines 6-8, "cinema")

It would have been obvious to one of ordinary skill in the art, having the teaching of Murashita and Dean before him at the time the invention was made, to modify the display determination taught by Murashita to include the motion video taught by Dean with the motivation being to provide a UI wherein the complexities of the calibration of different display types is transparent to the user and ensuring an accurate management of the displayed production.

55. As to claim 20, Murashita does not disclose calibration of the centering and the size.

In the same field of endeavor, Dean discloses calibration of the centering (col.10, lines 46-47) and the size (col.9, lines 37-39) of the displayed production.

It would have been obvious to one of ordinary skill in the art, having the teaching of Murashita and Dean before him at the time the invention was made, to modify the display determination taught by Murashita to include the screen location calibration taught by Dean with the motivation being to provide a UI wherein the complexities of the calibration of different display types is transparent to the user and ensuring an accurate management of the displayed production.

56. As to claim 21, Murashita does not disclose the presentation of the instructions is directed at aiding the user to calibrate a brightness of the display.

In the same field of endeavor, Dean discloses the presentation of the instructions is directed at aiding the user to calibrate a brightness of the display (col.11, lines 37-41).

It would have been obvious to one of ordinary skill in the art, having the teaching of Murashita and Dean before him at the time the invention was made, to modify the display determination taught by Murashita to include the brightness calibration taught by Dean with the motivation being to provide a UI wherein the complexities of the calibration of different display types is transparent to the user and ensuring an accurate management of the displayed production.

57. As to claim 22, Murashita does not disclose discloses the presentation of the instructions is directed at aiding the user to calibrate a contrast of the display.

In the same field of endeavor, Dean discloses the presentation of the instructions is directed at aiding the user to calibrate a contrast of the display (col.11, lines 37-41).

It would have been obvious to one of ordinary skill in the art, having the teaching of Murashita and Dean before him at the time the invention was made, to modify the display determination taught by Murashita to include the contrast calibration taught by Dean with the motivation being to provide a UI wherein the complexities of the calibration of different display types is transparent to the user and ensuring an accurate management of the displayed production.

58. As to claim 23, Murashita does not disclose the presentation of the instructions is directed at aiding the user to calibrate a color balance of the display.

In the same field of endeavor, Dean discloses the presentation of the instructions is directed at aiding the user to calibrate a color balance of the display (col.11, lines 37-41).

It would have been obvious to one of ordinary skill in the art, having the teaching of Murashita and Dean before him at the time the invention was made, to modify the display determination taught by Murashita to include the other types of calibration aspects taught by Dean with the motivation being to provide a UI wherein the complexities of the calibration of different display types is transparent to the user and ensuring an accurate management of the displayed production.

59. As to claim 24, Murashita does not disclose the presentation of the instructions is directed at aiding the user to calibrate a color and tint of the display.

In the same field of endeavor, Dean discloses the presentation of the instructions is directed at aiding the user to calibrate a color and tint of the display (col.11, lines 37-41).

It would have been obvious to one of ordinary skill in the art, having the teaching of Murashita and Dean before him at the time the invention was made, to modify the display determination taught by Murashita to include the other types of calibration aspects taught by Dean with the motivation being to provide a UI wherein the complexities of the calibration of different display types is transparent to the user and ensuring an accurate management of the displayed production.

60. As to claim 25, Murashita does not disclose the presentation of the instructions is directed at aiding the user to calibrate a sharpness of the display.

In the same field of endeavor, Dean discloses the presentation of the instructions is directed at aiding the user to calibrate a sharpness of the display. (col.11, lines 37-41; sharpness is defined as the contrast of an edge).

It would have been obvious to one of ordinary skill in the art, having the teaching of Murashita and Dean before him at the time the invention was made, to modify the display determination taught by Murashita to include the other types of calibration aspects taught by Dean with the motivation being to provide a UI wherein the complexities of the calibration of different display types is transparent to the user and ensuring an accurate management of the displayed production.

61. As to claim 26, Murashita does not disclose the presentation of the instructions includes presenting a photo-realistic moving video tailored to centering and sizing of media on the display.

In the same field of endeavor, Dean discloses the presentation of the instructions includes presenting a photo-realistic moving video tailored to (col.1, lines 57-59; col.2, lines 6-9; col.11, lines 39-42; a test signal with embedded resolution elements that can be inserted with a motion video for calibration purpose). centering (col.10, lines 46-47) and sizing (col.11, lines 37-40) of media on the display.

It would have been obvious to one of ordinary skill in the art, having the teaching of Murashita and Dean before him at the time the invention was made, to modify the display determination taught by Murashita to include the other types of calibration aspects taught by Dean with the motivation being to provide a UI wherein the complexities of the calibration of different display types is transparent to the user and ensuring an accurate management of the displayed production.

62. As to claim 27, Murashita does not disclose the presentation of the instructions includes presenting a photo-realistic moving video tailored to calibrating a brightness of the display.

In the same field of endeavor, Dean discloses the presentation of the instructions includes presenting a photo-realistic moving video tailored to calibrating a brightness of the display (col.1, lines 57-59; col.2, lines 6-9; col.11, lines 39-42; a test signal with embedded brightness element that can be inserted with a motion video for calibration purpose).

It would have been obvious to one of ordinary skill in the art, having the teaching of Murashita and Dean before him at the time the invention was made, to modify the display determination taught by Murashita to include the other types of calibration aspects taught by Dean with the motivation being to provide a UI wherein the complexities of the calibration of different display types is transparent to the user and ensuring an accurate management of the displayed production.

63. As to claim 28, Murashita does not disclose the presentation of the instructions includes presenting a photo-realistic moving video tailored to calibrating a contrast of the display.

In the same field of endeavor, Dean discloses the presentation of the instructions includes presenting a photo-realistic moving video tailored to calibrating a contrast of the display (col.1, lines 57-59; col.2, lines 6-9; col.11, lines 39-42; a test signal with embedded contrast element that can be inserted with a motion video for calibration purpose).

It would have been obvious to one of ordinary skill in the art, having the teaching of Murashita and Dean before him at the time the invention was made, to modify the display determination taught by Murashita to include the other types of calibration aspects taught by Dean with the motivation being to provide a UI wherein the complexities of the calibration of different display types is transparent to the user and ensuring an accurate management of the displayed production.

64. As to claim 29, Murashita does not disclose the presentation of the instructions includes presenting a photo-realistic moving video tailored to calibrating a color balance of the display.

In the same field of endeavor, Dean discloses the presentation of the instructions includes presenting a photo-realistic moving video tailored to calibrating a color balance of the display (col.1, lines 57-59; col.2, lines 6-9; col.11, lines 39-42; a test signal with embedded color balance elements that can be inserted with a motion video for calibration purpose).

It would have been obvious to one of ordinary skill in the art, having the teaching of Murashita and Dean before him at the time the invention was made, to modify the display determination taught by Murashita to include the other types of calibration aspects taught by Dean with the motivation being to provide a UI wherein the complexities of the calibration of different display types is transparent to the user and ensuring an accurate management of the displayed production.

65. As to claim 30, Murashita does not disclose the instructions includes presenting a photo-realistic moving video tailored to calibrating a color and tint of the display.

In the same field of endeavor, Dean discloses the instructions includes presenting a photo-realistic moving video tailored to calibrating a color and tint of the display (col.1, lines 57-59; col.2, lines 6-9; col.11, lines 39-42; a test signal with embedded resolution elements that can be inserted with a motion video for calibration purpose).

66. As to claim 31, Murashita does not disclose the presentation of the instructions includes presenting a photo-realistic moving video tailored to calibrating a sharpness of the display (col.1, lines 57-59; col.2, lines 6-9; col.11, lines 39-42; a test signal with embedded resolution elements that can be inserted with a motion video for calibration purpose; the contrast of an edge (sharpness) is a part of the of a display characteristic).

In the same field of endeavor, Dean discloses the presentation of the instructions includes presenting a photo-realistic moving video tailored to calibrating a sharpness of the display (col.1, lines 57-59; col.2, lines 6-9; col.11, lines 39-42; a test signal with embedded resolution elements that can be inserted with a motion video for calibration purpose; the contrast of an edge (sharpness) is a part of the of a display characteristic).

It would have been obvious to one of ordinary skill in the art, having the teaching of Murashita and Dean before him at the time the invention was made, to modify the display determination taught by Murashita to include the other types of calibration aspects taught by Dean with the motivation being to provide a UI wherein the complexities of the calibration of different display types is transparent to the user and ensuring an accurate management of the displayed production.

67. As to claim 32, Murashita does not disclose directing the user to a screen settings application if the type of the display in use by the computer does not match screen settings appropriate for the type of the display.

In the same field of endeavor, Dean discloses directing the user to a screen settings application if the type of the display in use by the computer does not match screen settings appropriate for the type of the display (col.9, lines 33; col.4, lines 59-66; auto-setup and conversion table that stores multiple display profiles).

It would have been obvious to one of ordinary skill in the art, having the teaching of Murashita and Dean before him at the time the invention was made, to modify the display determination taught by Murashita to include the other types of calibration aspects taught by Dean with the motivation being to provide a UI wherein the complexities of the calibration of different display types is transparent to the user and ensuring an accurate management of the displayed production.

68. As to claim 33, Murashita does not disclose installing a screen settings application if the type of the display in use by the computer does not match screen settings appropriate for the type of the display (col.14, lines 19-24; a lookup table is used to ensure display on the screen).

In the same field of endeavor, Dean discloses installing a screen settings application if the type of the display in use by the computer does not match screen settings appropriate for the type of the display (col.14, lines 19-24; a lookup table is used to ensure display on the screen).

It would have been obvious to one of ordinary skill in the art, having the teaching of Murashita and Dean before him at the time the invention was made, to modify the display determination taught by Murashita to include the other types of calibration aspects taught by Dean with the motivation being to provide a UI wherein the complexities of the calibration of different display types is transparent to the user and ensuring an accurate management of the displayed production.

69. As to claim 35, Murashita discloses aids are presented based on the computer display's connection type (fig.7, choosing connection type; fig.8, calibration instructions based on the selected connection type). Murashita does not disclose the use of photo-realistic motion videos.

In the same field of endeavor, Dean discloses use of photo-realistic motion videos (col.1, lines 57-59; col.2, lines 6-9; col.11, lines 39-42; a test signal with embedded calibration elements that can be inserted with a motion video for calibration purpose).

It would have been obvious to one of ordinary skill in the art, having the teaching of Murashita and Dean before him at the time the invention was made, to modify the display determination taught by Murashita to include the motion video calibration taught by Dean with the motivation being to provide a UI wherein the complexities of the calibration of different display types is transparent to the user and ensuring an accurate management of the displayed production.

70. As to claim 39, Murashita discloses the presentation of the instructions is directed to calibrating a display based on the display type (fig.7, user selects the display type; col.15, lines 24-26, user enters calibration mode after choosing the display type). Murashita does not disclose the display is of the tube-type.

In the same field of endeavor, Dean discloses color calibration for the tube-type display (col.10, lines 44-45).

It would have been obvious to one of ordinary skill in the art, having the teaching of Murashita and Dean before him at the time the invention was made, to modify the display determination taught by Murashita to tube-type display profile taught by Dean with the motivation being to provide a UI wherein the complexities of the calibration of different display types is transparent to the user and ensuring an accurate management of the displayed production.

71. As to claim 40, Murashita discloses the presentation of the instructions is directed to calibrating a panel-type display if the display is of the panel-type (fig.7, “LCD”, user selects the display type; col.15, lines 24-26, user enters calibration mode after choosing the display type).

72. As to claim 56, Murashita discloses a method comprising: determining a type of a display (fig.6, "S101"; col.6, lines 29-30; fig.7; col.15, lines 16-18) ;and presenting, based on the type of the display aids to a user in color calibration the display. Murashita does not disclose the use of a photo-realistic motion video in aiding the user in calibrating the display.

In the same field of endeavor, Dean discloses the use of one or more photo-realistic motion videos to aid a user in calibrating the display (col.1, lines 57-59; col.2, lines 6-9; col.11, lines 39-42; a test signal with embedded calibration elements that can be inserted with a motion video for calibration purpose).

It would have been obvious to one of ordinary skill in the art, having the teaching of Murashita and Dean before him at the time the invention was made, to modify the display determination taught by Murashita to include the motion video taught by Dean with the motivation being to provide a UI wherein the complexities of the calibration of different display types is transparent to the user and ensuring an accurate management of the displayed production.

73. As to claim 57, Murashita discloses wherein the determination includes presenting graphics that illustrate multiple types of displays and receiving a selection of one of the multiple types of displays (fig.7).

74. As for claim 58, Murashita discloses determining a connection type of the display, and wherein the presenting is also based on the connection type of the display. (col.15, lines 15-20, lines 24-25; after the display type is determined, the associated color chart is loaded, followed by the calibration presentation).

75. As to claim 59, Murashita discloses presenting graphics that illustrate multiple connection types and receiving a selection of the connection type of the display from the multiple connection types (col.15, lines 15-20, lines 24-25; after the display type is determined, the associated color chart is loaded, followed by the calibration presentation).

76. As to claim 60, Dean discloses one or more of the photo-realistic motion videos are hyper-sensitive to calibration changes of the computer display (col.1, lines 57-59; col.2, lines 6-9; col.11, lines 39-42; a test signal with embedded calibration elements that are inserted with a motion video for calibration purpose must reflect the changes of the calibration).

77. As to claim 61, Murashita discloses the determination includes presenting graphics that illustrate multiple display types and receiving a selection of one of the multiple display types, wherein the selected display type is the type of the display in use by the computer (fig.7).

78. As to claim 62, Murashita discloses the determination includes presenting multiple types of displays to the user and receiving (fig.7; for example, CRT or LCD display), from the user, a selection of one of the display types (fig.7, user pushes button to make the selection) wherein the multiple types of displays include a tube type of display, a panel type of display a rear-projection type of display, or a forward-projection type of display (fig.7; for example, CRT or LCD display).

79. As to claim 63, Murashita discloses the determination includes presenting multiple types of displays to the user and receiving, from the user(fig.7; for example, CRT or LCD display) , a selection of one of the display types (fig.7, user pushes button to make the selection), wherein the multiple display types include a tube type of display, a plasma-panel type of display, a non-plasma-panel type of display, a CRT rear-projection type of display, a non-CRT rear-projection type of display, a three-light forward-projection type of display, or a one-light forward-projection type of display (fig.7; for example, CRT or LCD display).

80. As to claim 64, Dean discloses the presenting is directed to calibrating the display for use of the display to render motion video. (fig.8, presentation aids; col.1, lines 57-59; col.2, lines 6-9; col.11, lines 39-42; a test signal with embedded calibration elements that can be inserted with a motion video for calibration purpose).

81. As to claim 65, Dean discloses directing the user to a screen settings application if the type of the display in use by the computer does not match screen settings appropriate for the type of the display (col.9, lines 33; col.4, lines 59-66; auto-setup and conversion table that stores multiple display profiles).

82. As to claim 66, Dean discloses installing a screen settings application if the type of the display in use by the computer does not match screen settings appropriate for the type of the display (col.14, lines 19-24; a lookup table is used to ensure display on the screen).

83. As to claim 113, Murashita discloses presenting second graphics that illustrate multiple types; and receiving a second selection of one of the multiple types, wherein the presenting is further based on the selected type (col.15, lines 1-2; a second graphics that further defines the display connection type base on the maker). Murashita does not disclose the multiple types are aspect ratio types.

Dean discloses second graphics that illustrate multiple aspect ratios; and receiving a selection of one of the multiple aspect ratios, wherein the presenting is further based on the selected aspect ratio (fig.8).

It would have been obvious to one of ordinary skill in the art, having the teaching of Murashita and Dean before him at the time the invention was made, to modify the features taught by Murashita to include the features taught by Dean with the motivation being to provide a UI wherein the complexities of the calibration of different display types is transparent to the user and ensuring an accurate management of the displayed production.

84. As to claim 114, Dean discloses the multiple aspect ratios include a standard and a widescreen aspect ratio (fig.8, "4:3" and "16:9").

As to claim 115, Dean discloses presenting text describing the multiple aspect ratios (fig.8, "58").

85. As to claim 118, Murashita does not disclose Dean discloses the presenting instructions is directed to calibrating the display for use of the display to render motion video.

In the same field of endeavor, Dean discloses the presenting instructions is directed to calibrating the display for use of the display to render motion video (col.11, lines 34-39; "video" and "prompt a user to adjust").

It would have been obvious to one of ordinary skill in the art, having the teaching of Murashita and Dean before him at the time the invention was made, to modify the display determination taught by Murashita to include the motion video adjustment taught by Dean with the motivation being to provide a UI wherein the complexities of the calibration of different display types is transparent to the user and ensuring an accurate management of the displayed production.

86. As to claim 122, Murashita discloses presenting information directed at how the user in calibrating the display (fig.8, "70"). Murashita does not disclose the use a photo-realistic moving video.

In the same field of endeavor, Dean discloses using a photo-realistic moving video (col.2, lines 6-8, col.11, lines 34-36; using test signal in a digital cinema for calibration).

It would have been obvious to one of ordinary skill in the art, having the teaching of Murashita and Dean before him at the time the invention was made, to modify the display determination taught by Murashita to include the motion video adjustment taught by Dean with the motivation being to provide a UI wherein the complexities of the calibration of different display types is transparent to the user and ensuring an accurate management of the displayed production.

87. Claims 3, 5-6, 12-13 and 111, are rejected under 35 U.S.C. 103(a) as being unpatentable over Murashita in view of Maxon et al. (Maxon, US 6,930,730 B2)

88. As to claims 3 and 5, Murashita discloses a display adjusting apparatus based on the characteristics of the display unit (col.3, lines 40-43), Murashita does not disclose includes presenting graphics that illustrate multiple connection types and receiving a selection of one of the multiple connection types.

In the same field of endeavor, Maxon discloses includes presenting graphics that illustrate multiple connection types (fig.2b, "90"; fig.2f, "1090") and receiving a selection of one of the multiple connection types (fig.4; selection is done via a remote).

It would have been obvious to one of ordinary skill in the art, having the teaching of Murashita and Maxon before him at the time the invention was made, to modify the display calibration/determination taught by Murashita to include the connection selection taught by Maxon with the motivation being to provide a multifunctional, user friendly calibration control system.

89. As to claims 6 and 111, Murashita does not disclose the determination includes presenting a television connection type and a computer connection type to the user and receiving, from the user, a selection of the television connection type or the computer connection type.

In the same field of endeavor, Maxon presents a television connection type and a computer connection type to the user and receiving (fig.2b, "90"; fig.2f, "1090", shows the selection interface; fig.8, "222", "223", see "VGA" signal, and "ANT A" signal), from the user, a selection of the television connection type or the computer connection type (fig.4; selection is done via a remote).

It would have been obvious to one of ordinary skill in the art, having the teaching of Murashita and Maxon before him at the time the invention was made, to modify the display calibration/determination taught by Murashita to include the connection selection taught by Maxon with the motivation being to provide a multifunctional, user friendly calibration control system.

90. As to claim 12, Murashita does not disclose the presentation of the instructions is directed to calibrating displays having a television connection type.

In the same field of endeavor, Maxon presents a control system with a television connection type (fig.8, "223", ANT A signal).

It would have been obvious to one of ordinary skill in the art, having the teaching of Murashita and Maxon before him at the time the invention was made, to modify the display calibration/determination taught by Murashita to include the connection selection taught by Maxon with the motivation being to provide a multifunctional, user friendly calibration control system.

91. As to claim 13, Murashita does not disclose the presentation of the instructions is directed to calibrating displays having a computer connection type.

In the same field of endeavor, Maxon presents a control system with a television connection type (fig.8, "223", ANT A signal).

It would have been obvious to one of ordinary skill in the art, having the teaching of Murashita and Maxon before him at the time the invention was made, to modify the display calibration/determination taught by Murashita to include the connection selection taught by Maxon with the motivation being to provide a multifunctional, user friendly calibration control system.

92. Claim 36 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dean in view of Maxon.

93. As to claim 36, Dean discloses photo-realistic motion videos are presented for calibration purpose (col.11, lines 34-39; "video" and "prompt a user to adjust").
Dean does not disclose the presentation is based on the computer display's connection type.

In the same field of endeavor, Maxon discloses includes presenting graphics that illustrate multiple connection types (fig.2b, "90"; fig.2f, "1090") and receiving a selection of one of the multiple connection types (fig.4; selection is done via a remote).

It would have been obvious to one of ordinary skill in the art, having the teaching of Dean and Maxon before him at the time the invention was made, to modify the motion video display calibration taught by Dean to include the connection selection taught by Maxon with the motivation being to provide a multifunctional, user friendly calibration control system.

Conclusion

The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. 1.111(c) to consider these references fully when responding to this action.

Calibration ref:

US 5,298,993

US 5,739,809

US 2003/0081124 A

US 2003/0156229 A

US 6,747,688 B1

US 2004/0243940 A

US 2006/0280360 A

VP 403C spec. http://www.sencore.com/products/vp403c/VP403C.pdf

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Haoshian Shih whose telephone number is (571) 270-1257. The examiner can normally be reached on m-f 0730-1700.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (571)272-4048. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

HSS

Kieu D. Vu
Primary Examiner